

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

|   |   |                               |
|---|---|-------------------------------|
| -----                                   | X |                               |
|   | : |                               |
| STRIKE 3 HOLDINGS, LLC,                 | : |                               |
|   | : | Case No. 1:23-cv-06355-FB-TAM |
| Plaintiff,                              | : |                               |
|   | : |                               |
| vs.                                     | : |                               |
|   | : |                               |
| JOHN DOE subscriber assigned IP address | : |                               |
| 68.175.8.63,                            | : |                               |
|   | : |                               |
| Defendant.                              | : |                               |
| -----                                   | X |                               |

**DECLARATION OF SUSAN B. STALZER IN SUPPORT OF PLAINTIFF'S MOTION  
FOR LEAVE TO TAKE DISCOVERY PRIOR TO A RULE 26(f) CONFERENCE**

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**DECLARATION OF SUSAN B. STALZER IN SUPPORT OF PLAINTIFF'S MOTION  
FOR LEAVE TO TAKE DISCOVERY PRIOR TO A RULE 26(f) CONFERENCE**

I, Susan B. Stalzer, do hereby state and declare as follows:

1. My name is Susan B. Stalzer. I am over the age of 18 and am otherwise competent to make this declaration.

2. This declaration is based on my personal knowledge and, if called upon to do so, I will testify that the facts stated herein are true and accurate.

3. I work for Strike 3 Holdings, LLC ("Strike 3") and review the content of their motion pictures.

4. I hold a Bachelor's degree and Master's degree in English from Oakland University.

5. I have a long history of working in the fine arts, with an emphasis on writing, including having served as an adjunct professor of composition and literature.

6. I am familiar with Strike 3's plight with online piracy and its determination to protect its copyrights.

7. I was tasked by Strike 3 with verifying that each infringing file identified as a motion picture owned by Strike 3 on torrent websites was in fact, either identical, strikingly similar or substantially similar to a motion picture in which Strike 3 owns a copyright.

8. Strike 3 provided me with digital media files to compare with Strike 3's copyrighted works.

9. Based on the Declaration of David Williamson, I understand that Strike 3 obtained each digital media file using the VXN Scan's Torrent Collector and Downloader components.

10. I viewed each of the digital media files side-by-side with Strike 3's motion pictures, as published on the *Blacked*, *Blacked Raw*, *Slayed*, *MILFY*, *Tushy*, *Tushy Raw*, and/or *Vixen* websites and enumerated on Exhibit A by their United States Copyright Office identification numbers.


11. Each digital media file is a copy of one of Strike 3's motion pictures that is identical, strikingly similar, or substantially similar to the original work identified by their United States Copyright Office identification numbers on Exhibit A to the Complaint.

**DECLARATION**

**PURSUANT TO 28 U.S.C. § 1746**, I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 25 day of August, 2023.

**SUSAN B. STALZER**

By:  \_\_\_\_\_